



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

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March 18, 1982

OFFICE OF
ENFORCEMENT COUNSEL

CERTIFIED MAIL: RETURN RECEIPT REQUESTED

Zidell Dismantling, Inc.
Jack Zidell, Vice President
401 Alexander
Tacoma, WA 98401

Re: Commencement Bay

Dear Mr. Zidell:

The U.S. Environmental Protection Agency (EPA) is considering spending public funds to investigate and take corrective action involving releases or threatened releases of hazardous substances, pollutants and other contaminants at the above-referenced site. This action is authorized by the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. Section 9601 et seq. (CERCLA). Under CERCLA, and other laws, responsible parties may be liable for money expended by the government to take necessary corrective action at the site, including investigation, planning, cleanup of the site, and enforcement. Potentially responsible parties include the current owner or operator of the site, the past owner or operator, and persons who generated the substances or were involved in transport, treatment, or disposal of them at the site.

EPA believes that your company may be a responsible party. Before the government undertakes necessary action at this site, we desire to discuss your company's voluntarily performing the required work to abate any releases or threatened releases of hazardous substances, pollutants, or contaminants from the site. If private cleanup is not forthcoming and we use public funds, your company may be liable for the costs incurred.

Please notify EPA, in writing, no later than three weeks from the receipt of this letter, of your company's willingness to discuss undertaking voluntary action. Your letter should indicate the appropriate name, address, and phone number for further contact with you and include a statement of the types and the extent of the activities your company may be willing to undertake. Where your company is already involved in discussions with EPA, state, or local authorities or engaged in voluntary action, you should continue that activity and report the status

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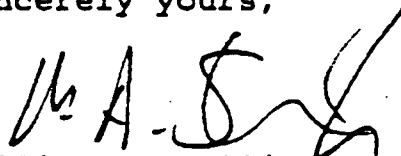
of those discussions or that action in your letter. Please provide a copy of your letter to any other parties involved in those discussions including, where appropriate, the EPA Regional Office.

If your response indicates that negotiations should be scheduled with EPA and that those negotiations are likely to produce a meaningful abatement of releases or threatened releases at the site, we will contact your company to schedule a meeting. At the meeting, we expect to discuss the steps necessary to investigate and abate the conditions at the site and to set the schedule for your company's undertaking such corrective actions. Your letter should be sent to:

Kathy L. Summerlee
Superfund Task Force (EN 329)
Office of Enforcement Counsel
U.S. EPA
401 M Street, S.W.
Washington, D.C. 20460

If you need further information, Ms. Summerlee can be reached by phone at (202) 382-3077. If your written response is not received in Ms. Summerlee's office within three weeks, we will assume that your company has declined to undertake voluntary response activities.

Sincerely yours,



William A. Sullivan, Jr.
Enforcement Counsel

cc: Regional Counsel, Region X
Director, Office of Emergency and Remedial
Response
Director, Office of Waste Programs
Enforcement
Mike Palko
WA State Department of Ecology